



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/441,204 11/16/99 VERCHERE

D 56490.000002

021967
HUNTON AND WILLIAMS
1900 K STREET N W
WASHINGTON DC 20006

TM02/0228

EXAMINER

AZPURI, C
ART UNIT

PAPER NUMBER

2165
DATE MAILED:

02/28/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/441,204

Applicant(s)

Verchere

Examiner
Carlos Azpuru

Group Art Unit
2165



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Receipt is acknowledged of the prior art filed 08/16/00.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bemrose.

Bemrose disclose a fully functional website for purchasing imprinted promotional items. Customers are enabled in "all aspects of an order on-line"....."from product and price searches through to order placement and artwork approval." Full online ordering is available to over 200 promotional products. Access is provided to many products via access to the customer research specialists. The website's user friendly design provides easy instructions and options such as on line search of products (product website), and customer service (front office) The instant claims are anticipated by Bemrose.

The article to Branders.com is cited for its disclosure of a fully functional website for ordering promotional items. A date could not be found as to the date which the site was functioning. However, applicant is advised that this reference represents at least the state of the

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art, and if evidence can be found predating its operation to the filing date of the instant application, it would entail a reference under 35 USC §102(b).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Azpuru whose telephone number is (703) 308-0237. The examiner can normally be reached on Tuesday-Friday from 6:30 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman Page, can be reached on (703) 308-2927. The fax phone numbers for this Group are (703) 305-3592 and 305-4556. Unofficial faxes (such as proposed amendments to be used for an interview) may be sent to (703) 308-7921 or 7922. Unofficial faxes are intended for papers which will not become part of the official file, and it is requested the Examiner should be contacted in order to ensure prompt attention.


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [thurman.page@uspto.gov].

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If attempts to reach the examiner concerning cases in the Business methods area are unsuccessful, the examiner's supervisor. Vincent Millin, can be reached at (703) 308-1065. Communications via Internet e-mail regarding these applications, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [vincent.millin@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1234.


CARLOS A. AZPURU
PRIMARY EXAMINER
GROUP 1500